



REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 16 NOVEMBER 2021

SUBJECT: 21/01527/PAN – PROPOSED EXTENSION TO QUARRY AT CAIRDSHILL QUARRY, KEITH

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1. REASON FOR REPORT

1.1 To inform the Committee that a Proposal of Application Notice (PAN) was submitted on 29 September 2021 on behalf of Tarmac Caledonia Limited.

1.2 This report is submitted to Committee in terms of Section III (E) (1) of the Council's Scheme of Administration relating to exercising the statutory functions of the Council as a Planning Authority.

2. RECOMMENDATION

2.1 It is recommended that Committee:

(i) **in noting the terms of this report, the Committee advise upon any provisional views/relevant issues that Members of this Committee (or any other Member(s) of the Council) wish to raise about the proposed development so that these matters can be recorded and thereafter fed back to the prospective applicant in order to inform the development of their proposed formal application for planning permission; and**

(ii) **the matters raised by the Committee also be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.**

3. BACKGROUND

3.1 Scottish Government has published guidance which encourages elected members to highlight any issues with a proposed development at the pre-application stage which they would wish to see taken into account within any formal application for planning permission.

3.2 Following consideration by this Committee on 11 November 2014 it was agreed that any PAN received after this date would be reported to Committee to give Members of the Committee, and the Council, the opportunity to identify any key issues/provisional views about the proposed development and that

these matters be reported back to the applicant (paragraph 4 of the Minute refers).

- 3.3 This current report is not about the merits of the proposed development but rather, based on local knowledge of local issues and wider concerns, etc. Members are invited to identify any matters relevant to the proposal. These will be reported back to the prospective applicant for their information and attention, and to inform the development of the proposed application. It is also proposed that, for information, Members' comments be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.
- 3.5 As described, this PAN relates to a proposed extension to an existing quarry at Cairdshill Quarry, Keith. The site is located approximately 2.5km to the southeast of Keith (see location plan at **Appendix 1**).
- 3.6 The proposed extension would release quartzite both within the existing excavation area and from a southern extension. It is proposed to place soils and overburden in a screening mound to the south of the extraction area. The proposal would release some 2 million tonnes of quartzite over a 40-year period. Existing site infrastructure i.e. site access, site office, weighbridge and processing, stock piling and maintenance areas would be utilised.
- 3.8 Planning permission is required for this proposal as it would be a major development in terms of the current Hierarchy Regulations (Minerals extraction site, which exceeds 2 hectares) and the proposal would comprise a major development for planning purposes. As such, the proposal will be subject to PAN and pre-application consultation procedures with the local community.
- 3.9 A formal response has been issued to the applicant's agent to confirm that the proposed arrangements for engaging with the local community are sufficient. The applicant proposes to consult with Strathisla Community Council. In this case the applicant's agent has been advised that no additional parties require to be notified with a copy of the PAN.
- 3.10 The Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 have temporarily suspended the need to hold a public event in relation to PANs from 24 April 2020 provided that the PAN was submitted before the end of the emergency period and that any formal planning application following on from the PAN is lodged within 6 months of the end of the emergency period. There is no statutorily specified alternative to a public event during the emergency period but it is anticipated that prospective applicant has proposed reasonable alternatives, which must include a minimum seven-day period where information can be inspected and the public can make comments and ask questions to which they can expect to receive a response. In line with new regulations, the PAN advises that two live/interactive web-based consultation events will be carried out on Wednesday 24 November and Tuesday 7 December 2021 between 6pm and 8pm. The online event will be advertised locally in the Banffshire Advertiser and Herald Newspaper at least one week prior to the first consultation and all residences within 500m (by a letter drop) will be made aware of the consultation. In order to be valid, a major application must be supported by a

pre-application consultation report setting out the steps taken to consult with the local community, details of comments made on the proposal and how the applicant has responded to all comments made on the proposal in the development of the application.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Identifying key issues at an early stage to assist with front loading major planning applications is a vital aspect of supporting and facilitating the Council's priority for economic development in Moray.

(b) Policy and Legal

Scottish Government guidance on the role of councillors in pre-application procedures affords elected members the opportunity to offer general provisional views on forthcoming developments, which are the subject of a PAN where the details of the development have yet to be finalised.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

None.

(h) Consultations

Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Legal Services Manager, the Development Management and Building Standards Manager, the Equal Opportunities Officer, the Strategic Planning & Delivery Manager, and Lissa Rowan (Committee Services Officer) have been consulted, and comments received have been incorporated into the report.

Members of Moray Council who are not on this Committee have also been consulted and any views received on the proposal will be made known at the meeting.

5. CONCLUSION

- 5.1 The Council has received a PAN intimating that a formal application for planning permission will be submitted for a major development proposal, in this case for an extension to Cairdshill Quarry. The Committee (and any other Member(s) of the Council) are asked to identify any provisional views/relevant issues which they would wish to see taken into account and inform the development of the proposal.**

Author of Report: Richard Smith, Principal Planning Officer

Background Papers:

Ref:



PLANNING APPLICATION COMMITTEE SITE PLAN

Planning Application Ref Number:
21/01527/PAN

Site Address:
Cairdshill Quarry
Keith

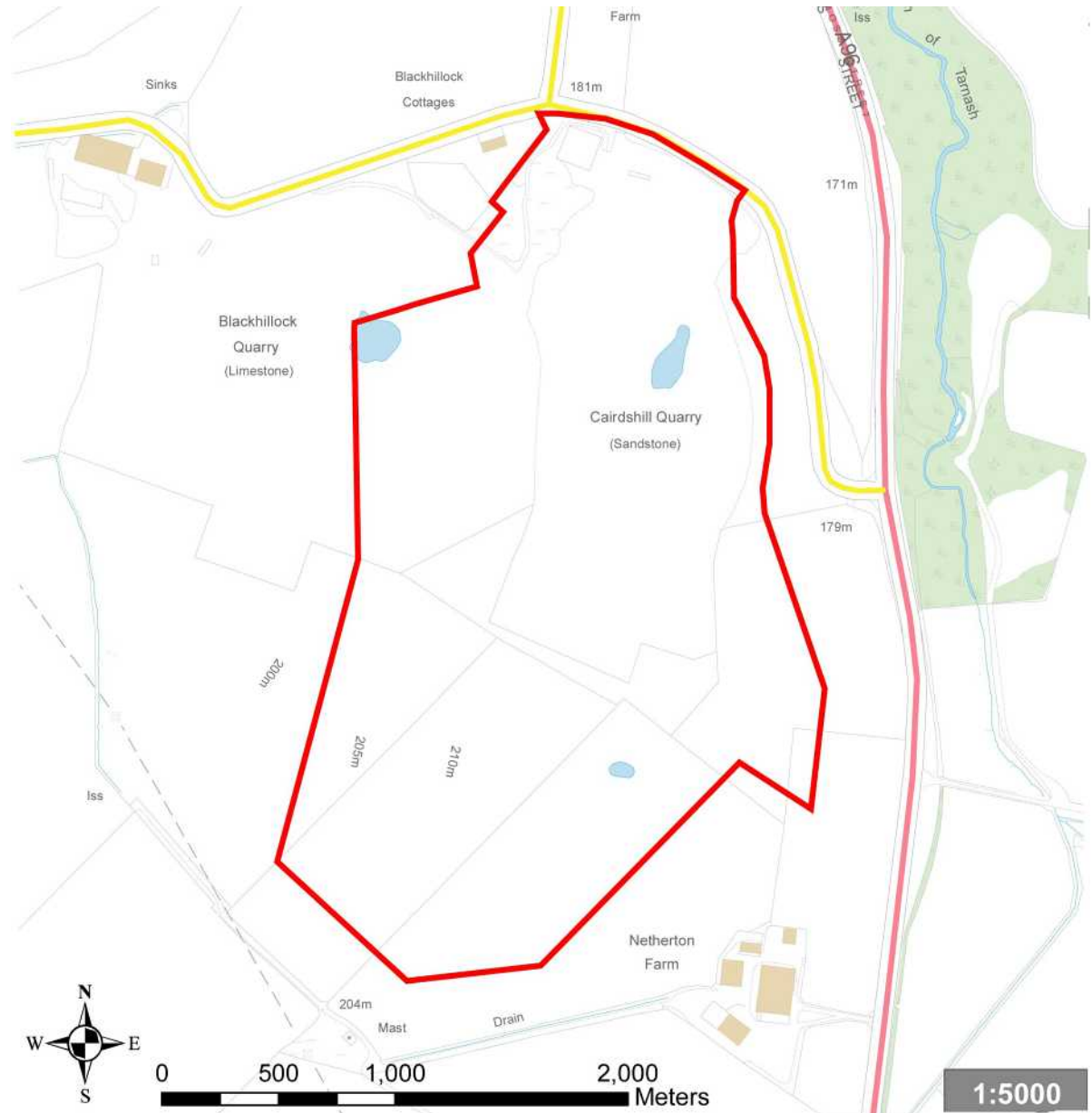
Applicant Name:
Tarmac Caledonia Limited

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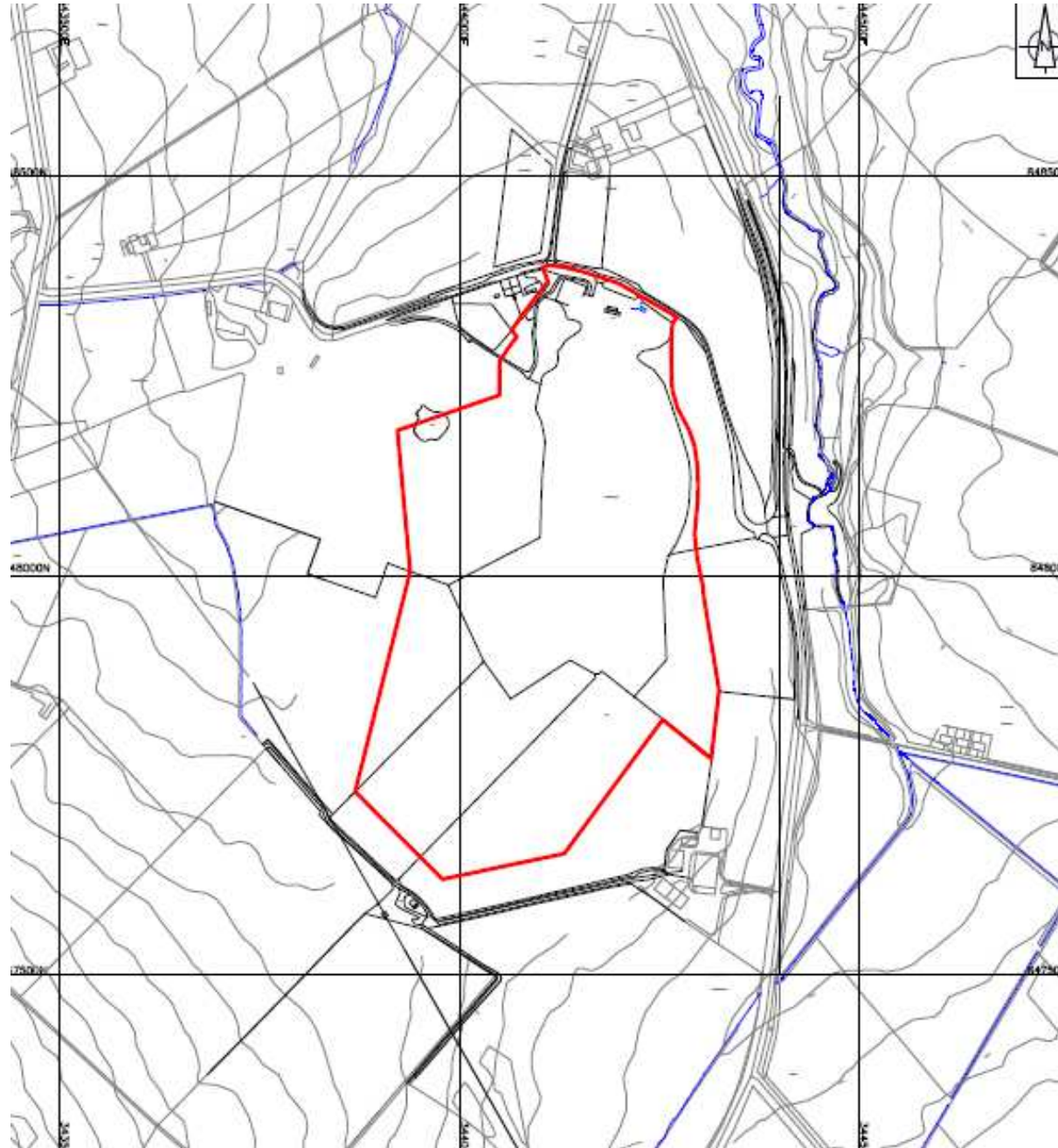
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Location Plan



Site Location



Existing/proposed extension site plan

